

DEC 7 2005

JAY H. SORENSEN

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For The Northern Mariana Islands
By _____
(Deputy Clerk)

Attorney Appearing in Pro Se

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN MARIANA ISLANDS

ROBERT D. BRADSHAW,

Plaintiff,

v.

COMMONWEALTH OF THE NORTHERN
MARIANA ISLANDS, et al.,

Defendants.

Civil Action No. 05-0027

**EX PARTE APPLICATION
UNDER LOCAL RULE 7.1 TO
INCREASE TIME FOR HEARING
AND BRIEFING OF MOTIONS;
CERTIFICATE MADE PURSUANT
TO RULE 7.1.h.3(b);
DECLARATION IN SUPPORT**

CERTIFICATE PURSUANT TO LOCAL RULE 7.1.h.3(b)

I, JAY H. SORENSEN, certify as follows:

A. The address and phone number of the plaintiff, who is without counsel, as listed on the amended complaint is: P.O. Box 473, 1530 Trout Creek Road, Calder, Idaho 83808. Phone: 208-245-1691.

The address of the Attorney General, who represents all the other parties that I am aware of that have appeared so far is: Office of the Attorney General—Civil Division, 2nd Floor, Hon. Juan A. Sablan Memorial Bldg., Caller Box 10007, Saipan, MP 96950. Phone: 670-664-2341.

1 My address and phone are set forth above the caption. .

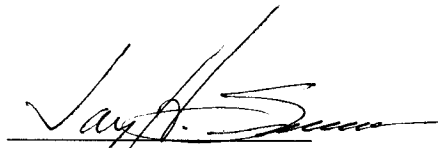
2 B. The reason this application is ex parte is due to the fact that there is insufficient time to do
3 a noticed motion or a written stipulation because my response to plaintiff's amended complaint is
4 due on November 8, 2005. Further, good cause exists to grant the motion, as set forth in the
5 application below.

6 C. Pursuant to L.R. 7.1.h.B(1) I called plaintiff to notify him of my intention to file this
7 application and the concomitant motion on December 5, 2005, which was the evening of December
8 4, 2005 in Idaho, where he lives. I explained what this application was asking the court to do. He
9 told me that he had no objection. I likewise called the clerk of this court and notified them of what
10 I was doing.

11 D. There has been no previous request for extensions or increases of time as to these
12 motions.

13 E. Information I have is that not all defendants have been served as yet. Thus, this
14 additional time should not delay the time for this case to reach the stage when it is at issue

15 Certified this 5th day of December, 2005.

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18 
19 Jay H. Sorensen
In Pro Se

APPLICATION

Defendant, JAY H. SORENSEN, having filed with this ex-parte motion alternative motions for a more definite statement, to strike or to dismiss the amended complaint, moves the court pursuant to Local Rule 7.1 (a), (c) and (h)2 to extend the time for filing the opposition and the reply, which will, of necessity, require the hearing to be later than the motion day prescribed by L.R. 7.1(a). Good cause exists to grant the motion, as set forth in the declaration below.

DECLARATION OF JAY H. SORENSEN

I, JAY H. SORENSEN, do hereby declare:

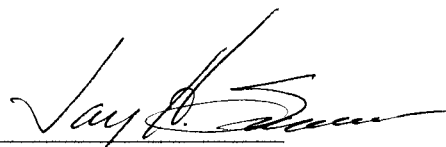
1. I am a defendant in the above entitled case and submit this declaration in support of this motion to increase the time for briefing and hearing of the motion being filed contemporaneously for a more definite statement, to strike or to dismiss the amended complaint. The facts stated herein are of my own knowledge.

2. I reside in Shanghai, China. I receive mail sent through the U.S. postal system by way of the address above, which is a mail forwarding service provided by my wife's employer. During the time that this case has been on file I have noticed the time for mailed items to get to me. It has taken 10 to 16 days to receive mail from Saipan. It takes somewhere between 7 to 12 days to receive mail from the U.S. mainland.

3. Because the scheme for briefing of motions in Local Rule 7.1 assumes that filing and service of papers occur simultaneously, it leaves too little time to prepare opposition and reply and have them reach the adverse party and the court when there is more than a couple days for papers to transit. Plaintiff does not indicate any fax number or capability. Because the notice and briefing of the contemporaneous motion will have to be served by mail across half the globe, there is need for more than the usual amount of time allowed by that rule.

1 4. Accordingly, the undersigned defendant and moving party here requests that the times
2 allowed by Local Rule 7.1 for briefing each be increased by one week, and the hearing date moved
3 forward by two weeks. Specifically, request is made that the time for filing opposition be set for
4 December 29, 2005, the time for reply set for January 12, 2006, and the hearing for January 19, 2006.

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6 I declare under penalty of perjury under the laws of the United States of America that the foregoing is
7 true and correct. Executed this 5th day of December, 2005 at Shanghai, P.R. China.

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11 Jay H. Sorensen
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